



JOSEPH C. BODEK, RMC, R.P.P.O

City Clerk

City of Linden
UNION COUNTY, NEW JERSEY
OFFICE OF CITY CLERK
City Hall – 301 North Wood Avenue
Linden, New Jersey 07036
(908) 474-8452
Fax: (908) 474-8451

January 4, 2019

Muck Rock News
Dept MR 65093
411A Highland Avenue
Somerville, MA 02144

File Number: 2018-989

Re: OPRA Request – Records

Dear Muck Rock News:

The City of Linden received your Open Public Records Act (OPRA) request on December 18, 2018. The official Records Custodian, Joseph C. Bodek, received your OPRA request on December 18, 2018. As such, the seventh (7th) business day deadline to respond to your request was Wednesday, January 2, 2018. This response to your request is being provided to you on the 9th business day after the custodian's receipt of said request.

You requested the following: "All documentation regarding CivicScape products (<http://www.civiscape.com/>) – including, but not limited, the following:

- Initial bid documents
- Current and previous contracts with CivicSpace
 - request for proposals
 - Bills or invoices
- Memorandum(s) of understanding
- Any privacy impact assessments
- Any instructional materials or presentations
- Use policies and standard operating procedures
 - Data retention policies
 - Letters of interests usage policies
- Any informal agreements that reference CivicSpace or otherwise guide it use or the relationship between this agency and the provider or developer of the software"

The records are now being provided to you as per your request, with redactions. In accordance with N.J.S.A. 47:1A-1 (24) Privacy Interest – "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

If you feel that your request for access to a government record has been improperly denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision of the City of Linden to deny access. I have attached information, from the Government Records Council regarding the process to file a complaint.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jen Honan" with a stylized flourish at the end.

Jennifer Honan
Deputy Records Custodian
City of Linden

New Jersey Government Records Council ("GRC")



What to do if your request for a record has been denied

The New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) permits a person who believes that he or she has been unlawfully denied access to a public record either to file a complaint with the GRC or to file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking such actions.

To file a complaint with the GRC:

- Visit the GRC's website at www.nj.gov/grc for information and to register your complaint. In the alternative, you may contact the GRC by telephone at 1-866-850-0511 or by e-mail at government.records@dca.nj.gov.
- When you file the written complaint, the GRC will offer both you and the public agency non-adversarial, impartial mediation. If mediation is not accepted or is not successful, the GRC will investigate the complaint.
- In some cases, the GRC can award attorney's fees to a complainant or impose a fine against a records custodian.
- There is no fee to file a complaint with the GRC.

To file a complaint in Superior Court:

- A requestor may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.
- The court requires a filing fee, and you must serve the lawsuit papers on the appropriate parties.
- The court will schedule a hearing to resolve the dispute.
- If you disagree with the court's decision, you may appeal the decision to the Appellate Division of the Superior Court.
- If you are successful, you may be entitled to reasonable attorney's fees.
- You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.
- Filing suit in Superior Court may result in a faster resolution, because the courts adjudicate cases every day, whereas the GRC only meets once a month.

Government Records Council, P.O. Box 819, Trenton, New Jersey 08625-0819

INVOICE

CIVICSCAPE, LLC

TO

Linden Police Department
301 Wood Avenue
Linden, NJ 07036

FROM

CivicScape, LLC
222 West Merchandise Mart
Suite 1212
Chicago, IL 60654
Sean Coari
sean@ekistic.com

DATE

02/06/18

INVOICE NO.

INV-Linden-001

PURCHASE ORDER

n/a

BILL TO

Linden Police Department
301 Wood Avenue
Linden, NJ 07036

SHIP TO

Linden Police Department
301 Wood Avenue
Linden, NJ 07036

P.O. NO.	SHIP DATE	ACCOUNT NO.	FREIGHT TERMS	FOB	DUE DATE
n/a	8/30/17	n/a	Account of seller	Delivered	NET30

ITEM NO.	DESCRIPTION	DELIVERED TO	QTY	UNIT PRICE	TOTAL
1	Contract to provide Linden Police Department with web-based software service package. Term commencing effective date of contract (December 18, 2017) and expiring December 17, 2020 for an annual amount of \$29,700	Linden Police Department	1	\$29,700.00	\$29,700.00

Special Instructions:

Remit address:

JPMORGAN CHASE
ROUTING - 071000013
DEPOSITOR ACCOUNT NO - 700847614
WIRE ABA NO - 021000021

SUBTOTAL	\$29,700.00
SHIPPING/HANDLING	\$0.00
OTHER	\$0.00
TOTAL	\$29,700.00

CIVIC

ORDER FORM

Organization Name: Linden Police Department Effective Date: 19 September 2017

Preparation Date: 01 September 2017 Monthly Amount: \$2,475.00

Organization Name: Linden Police Department Billing Phone: [REDACTED]
Billing Name: Chief J Parham Payment Method: Invoice
Billing Email: jparham@lpcnj.org Billing Terms: Annually
Billing Address: 301 N. Wood Ave Contract Term: Three years
Linden NJ 07036

Payment Terms: As of the effective date, a ninety (90) day Pilot Program will initiate, with no fees attached to the same. Following the conclusion of the Pilot Program, CivicScape will invoice the Organization for the continuation of services, per the payment method, billing terms and amount indicated herein. Up until the conclusion of the Pilot Program, Customer may terminate the Service Agreement at any time, effectively concluding the Pilot Program. Once invoiced, payment is due upon receipt. Sixty (60) days after the invoice date, interest accrues at the rate of 1.5% per month. Invoices 30 days or more past due may result in suspension of Services.

This Order Form is subject to and governed by the terms and conditions of the CivicScape Service Agreement. This Order Form is valid for thirty (30) days from the Preparation Date.

CivicScape, LLC
Organization
Michael Masters
Signature

Michael Masters
Name (please print)

CEO
Title

01 September 2017

Linden Police Department
Organization
Jonathan Parham
Signature

Jonathan Parham
Name (please print)

Chief of Police
Title

01 Sep 17

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in duplicate by their duly authorized representatives as of the date first above written:

CivicScape, LLC

Organization



Signature

Michael Masters

Name (please print)

CEO

Title

01 September 2017

Date

Linden Police Department

Organization



Signature

Jonathon Patton

Name (please print)

Chief of Police

Title

1 Sep 17

Date

CIVIC

Date

Date

Software As A Service Subscription

Cost

Service Package

\$33,000.00

Total Permitted Users

- Unlimited

Risk Assessment Types

- Violent
- Robbery
- Property

Platform

- Web-based
- Unlimited data inputs
- Analytics
- Ongoing data refresh

Geographic Analysis Boundary

- City of Linden

Support Services, Training, Professional Services & Additional

Included

Configuration during first forty-five days of production deployment; reasonable ongoing support efforts following

Live, In-Person Training Session (One)

Unlimited Tutorials & Documentation

Unlimited Webinar Training

Ongoing Customer Support

Advisory Assistance on Implementation Strategy

Contract Term Discount

(\$3,300.00)

Three-year contract

Start-up Fee

~~\$7,500.00~~

Total Annual Cost

\$29,700.00

Jennifer Honan

From: Annmarie Whelan
Sent: Friday, January 04, 2019 3:09 PM
To: Jennifer Honan
Cc: Jessica Slawinski
Subject: RE: OPRA 2018-989 CIVIC SCAPE PRODUCTS

Jennifer, the company Civic Scape Products is not a vendor for the City of Linden. Therefore, I have no records relative for your request.

*Ann Marie E. Whelan
Purchasing Agent, R.P.P.O., Q.P.A.
Purchasing Department
City of Linden
301 N. Wood Avenue – Room #202
Linden, New Jersey 07036
(908) 474-8444
awhelan@linden-nj.org*

NOTICE: This communication may be subject to Open Public Records Act NJSA 47:1A-1. This message may include matters relating to official City business that is confidential and privileged and is intended for the addressee only. If you have received this message in error, please delete the message and notify the sender immediately. The authorized use, disclosure, reproduction, forwarding, copying or alteration of this message is strictly prohibited and may be a violation of state law.